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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 YEKATERINA MALEVANNAYA,
11 et al.,

12 Plaintiffs,

13 v.

14 T-MOBILE,

15 Defendant.

CASE NO. C18-0886JLR

ORDER DENYING MOTION TO
REOPEN

16 Before the court is Plaintiffs Yekaterina Malevannaya and Liliya Volodkov's
17 (collectively, "Plaintiffs") motion to reopen. (Mot. (Dkt. # 6).) On June 15, 2018,
18 Plaintiffs filed this case against Defendant T-Mobile and simultaneously moved for a
19 temporary restraining order ("TRO").¹ (See Compl. (Dkt. # 1-1); TRO Mot. (Dkt.

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21 ¹ Along with their complaint and motion for a TRO, Plaintiffs filed a motion to proceed
22 *in forma pauperis* ("IFP"). (See IFP Mot. (Dkt. # 1).) The IFP motion contained information
related only to Ms. Malevannaya and was signed only by her. (See *id.*) Ms. Volodkov neither
signed the IFP motion nor paid the required filing fee. (See Dkt.) The court thus ordered Ms.
Volodkov to correct the deficiency by filing a signed IFP application containing her financial

1 # 1-2).) Plaintiffs' complaint contained no factual allegations, aside from asserting that
2 both Ms. Malevannaya's domicile and T-Mobile's principal place of business are in
3 Washington. (*See generally* 6/18/18 Order at 5-7; Compl.; *see id.* at 4.) Based on those
4 allegations, the court concluded that Plaintiffs intended to allege diversity jurisdiction as
5 the basis for the court's subject matter jurisdiction, that the court lacked subject matter
6 jurisdiction because there was not complete diversity of citizenship among the parties,
7 and that Plaintiffs failed to meet the standard for issuance of a TRO. (6/18/18 Order at
8 5-7); *see also* 28 U.S.C. § 1332. The court thus denied the TRO motion and ordered
9 Plaintiffs to show cause no later than Monday, July 2, 2018, why the court should not
10 dismiss this matter for lack of subject matter jurisdiction. (*Id.* at 6-7.)

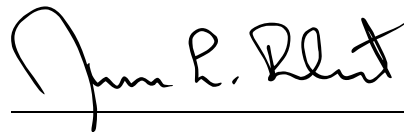
11 Plaintiffs did not specifically respond to the court's order (*see* Dkt.) but on June
12 18, 2018, filed several "exhibits" (*see* Exhibits (Dkt. # 3)). The court found that none of
13 those exhibits demonstrated subject matter jurisdiction. (7/3/18 Order (Dkt. # 4) at 2-3.)
14 The court therefore dismissed Plaintiffs' complaint without prejudice and entered
15 judgment. (*See id.* at 3; Judgment (Dkt. # 5).)

16 On July 12, 2018, Plaintiffs moved to reopen the case. (*See* Mot.) In their motion,
17 Plaintiffs make new allegations related to their phone service and apparent removal from
18 T-Mobile's headquarters. (*See id.* at 1-2.) Those allegations, however, do not change the
19 fact that the court lacks subject matter jurisdiction. (*See* 6/18/18 Order; 7/3/18 Order); 28

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22 information no later than Monday, July 2, 2018. (6/18/18 Order (Dkt. # 2) at 3.) Ms. Volodkov
filed her IFP application on July 13, 2018, and the court denies it as untimely and moot. (*See* 2d
IFP Mot. (Dkt. # 6)); *see also infra*.

1 U.S.C. § 1332; *cf.* Local Rules W.D. Wash. LCR 7(h) (stating that the court will
2 “ordinarily deny” a motion for reconsideration “in the absence of a showing of manifest
3 error in the prior ruling or a showing of new facts or legal authority which could not have
4 been brought to [the court’s] attention earlier with reasonable diligence”). Thus, the
5 court DENIES the motion to reopen (Dkt. # 6) and DENIES as moot Ms. Volodkov’s
6 untimely IFP motion (Dkt. # 7).

7 Dated this 16th day of July, 2018.

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10 JAMES L. ROBART
11 United States District Judge
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